

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LISA TILLEY, et al., :
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 : Plaintiffs, :
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 : - against - :
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 CHRISTOPHER SHELTON, et al., :
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 : Defendants. :
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VICTOR MARRERO, United States District Judge.

USDC SDNY
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DATE FILED: March 10, 2021

20 Civ. 10638 (VM)

ORDER

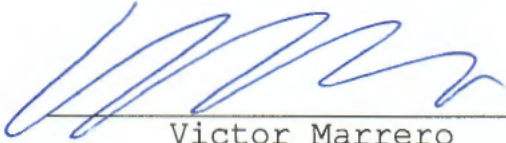
On March 8, 2021, Plaintiffs filed a second motion for leave to file a second amended complaint. (Dkt. No. 29.) On March 9, 2021, the Court issued an endorsed order directing Defendants to respond to Plaintiffs' request within five days. ("March 9 Order," Dkt. No. 30.) Due to a docketing error, the docket sheet erroneously described the Court's March 9 Order as granting Plaintiffs' request for leave to file a second amended complaint. As a result, Plaintiffs filed the second amended complaint on March 9, 2021. (Dkt. No. 31.)

Plaintiffs' filing of this second amended complaint was improper. Although the docket sheet contained an inaccurate description of the Court's March 9 Order, nowhere in the Court's March 9 Order were Plaintiffs granted leave to file the second amended complaint. Under Local Civil Rule 5.2, "[p]arties have an obligation to review the Court's actual order, decree, or judgment (on ECF), which controls, and should not rely on the description on the docket or in the ECF Notice of Electronic Filing (NEF)." It is apparent that Plaintiffs failed to review the Court's actual March 9 Order, which controls, and which did not grant leave to file the second amended complaint.

Therefore, the Court hereby strikes the second amended complaint (Dkt. No. 31) from the docket.

SO ORDERED.

Dated: New York, New York
10 March 2021



Victor Marrero
U.S.D.J.